

BUSINESS REPORT

**MONTANA SENATE
61st LEGISLATURE - REGULAR SESSION**

SENATE JUDICIARY COMMITTEE

Date: Wednesday, March 18, 2009
Place: Capitol

Time: 9:00 am
Room: 303

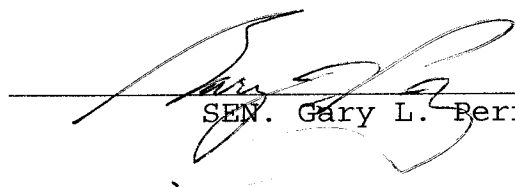
BILLS and RESOLUTIONS HEARD:

HB 407, HB 431

EXECUTIVE ACTION TAKEN:

HB 295-Tabled, HB 431-Tabled, HB 322-Be Concurred In, HB 407-Be Concurred In As Amended, HJR 14-Be Concurred in As Amended, HB 397-Be Concurred In As Amended

COMMENTS:


SEN. Gary L. Berry, Chairman

MONTANA STATE SENATE
Roll Call
JUDICIARY COMMITTEE

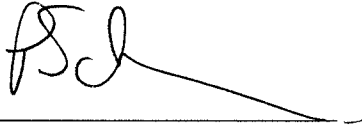
DATE: 3/18/09

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
SENATOR GARY PERRY, CHAIRMAN	/	
SENATOR JIM SHOCKLEY, VICE CHAIRMAN	/	
SENATOR AUBYN CURTISS	/	
SENATOR JOHN ESP	/	
SENATOR GREG HINKLE	/	
SENATOR LARRY JENT	/	
SENATOR CAROL JUNEAU	/	
SENATOR CLIFF LARSEN	/	
SENATOR JESSE LASLOVICH	/	
SENATOR DANIEL MCGEE	/	
SENATOR LYNDIA MOSS	/	
SENATOR TERRY MURPHY	/	

COMMITTEE FILE COPY

TABLED BILL

The **SENATE JUDICIARY COMMITTEE** TABLED HB 431, by motion, on **Wednesday, March 18, 2009**.



(For the Committee)



(Secretary of the Senate)

2:10 / 3-18

(Time) (Date)

March 18, 2009

Pamela E. Schindler, Secretary

Phone: 444-4891

COMMITTEE FILE COPY

TABLED BILL

The **SENATE JUDICIARY COMMITTEE** TABLED **HB 295**, by motion, on **Wednesday, March 18, 2009**.



(For the Committee)



(Secretary of the Senate)

2:10 / 3/18

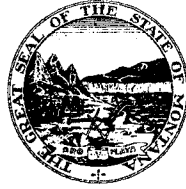
(Time)

(Date)

March 18, 2009

Pamela E. Schindler, Secretary

Phone: 444-4891



SENATE STANDING COMMITTEE REPORT

March 18, 2009

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **House Bill 322** (third reading copy -- blue) **be concurred in.**

Signed: _____

Senator Gary L. Perry, Chair

To be carried by Senator Jim Shockley

- END -

Committee Vote:

Yes 12, No 0

Fiscal Note Required ____

HB0322001SC00415.sdr

OR



SENATE STANDING COMMITTEE REPORT

March 18, 2009

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **House Bill 397** (third reading copy -- blue) **be concurred in as amended.**

Signed: _____

Senator Gary L. Perry, Chair

To be carried by Senator John Esp

And, that such amendments read:

1. Title, line 6.

Following: "~~GRANDCHILD~~"

Strike: "RELATIVE'S"

Following: "CHILD"

Strike: "IS TO BE"

Insert: "THAT IS RELATED HAS BEEN"

2. Page 2, line 5.

Following: "~~to be~~"

Strike: "RELATIVE'S"

Following: "CHILD"

Insert: "that is related"

3. Page 2, line 11.

Following: "registry"

Insert: "and notify the relatives on the registry"

4. Page 2, line 12.

Strike: "this section"

Insert: "41-3-301"

- END -

Committee Vote:

Yes 11, No 1

Fiscal Note Required ☐

HB0397001SC02650.sdr

DR



SENATE STANDING COMMITTEE REPORT

March 18, 2009

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **House Joint Resolution 14** (third reading copy -- blue) **be concurred in as amended.**

Signed: _____

Senator Gary L. Perry, Chair

To be carried by Senator Greg Hinkle

And, that such amendments read:

1. Title, line 10.

Following: "GENERAL"

Insert: ", IF IT IS DETERMINED THAT THE ATTORNEY GENERAL HAS
STANDING,"

2. Page 2, line 12.

Following: "General"

Insert: ", if the Attorney General determines that the Attorney
General has standing,"

3. Page 2, line 15.

Strike: subsection (4) in its entirety

Renumber: subsequent subsection

- END -

Committee Vote:

Yes 7, No 5

Fiscal Note Required ☐

HJ0014001SC06467.sdr

DR



SENATE STANDING COMMITTEE REPORT

March 18, 2009

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **House Bill 407** (third reading copy -- blue) be concurred in as amended.

Signed:

A handwritten signature in blue ink, appearing to read "Gary L. Perry".

Senator Gary L. Perry, Chair

To be carried by Senator Jesse Laslovich

And, that such amendments read:

1. Page 2, line 1.

Following: "travels"

Strike: "or attempts to travel any distance"

2. Page 2, line 5.

Following: "travel"

Strike: "or attempt to travel"

- END -

Committee Vote:

Yes 12, No 0

Fiscal Note Required ☐

HB0407001SC01328.sdr

OR

MONTANA STATE SENATE
Roll Call Vote
JUDICIARY COMMITTEE

DATE 3/18/09 BILL NO HB431 MOTION NO. 3
MOTION: _____

Be Concurred In As Amended

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR DANIEL MCGEE		<u>—</u>	
SENATOR JESSE LASLOVICH	<u>—</u>		
SENATOR AUBYN CURTISS		<u>—</u>	
SENATOR LARRY JENT	<u>—</u>		
SENATOR TERRY MURPHY		<u>—</u>	
SENATOR LYNDIA MOSS	<u>—</u>		
SENATOR JOHN ESP		<u>—</u>	
SENATOR CLIFF LARSEN	<u>—</u>		
SENATOR CAROL JUNEAU	<u>—</u>		
SENATOR GREG HINKLE		<u>—</u>	
SENATOR JIM SHOCKLEY, VICE CHAIR	<u>—</u>		
SENATOR GARY PERRY, CHAIRMAN		<u>—</u>	

6/6

MONTANA STATE SENATE
Roll Call Vote
JUDICIARY COMMITTEE

DATE 3/18/09 BILL NO. HB 431 MOTION NO. 4
MOTION: _____

Table

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR DANIEL MCGEE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR JESSE LASLOVICH	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
SENATOR AUBYN CURTISS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR LARRY JENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
SENATOR TERRY MURPHY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR LYNDA MOSS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
SENATOR JOHN ESP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR CLIFF LARSEN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
SENATOR CAROL JUNEAU	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
SENATOR GREG HINKLE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR JIM SHOCKLEY, VICE CHAIR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR GARY PERRY, CHAIRMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

7/5

MONTANA STATE SENATE
Roll Call Vote
JUDICIARY COMMITTEE

DATE 3/18/09 BILL NO HB295 MOTION NO. 1
MOTION: _____

Be CONCURRED In

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR DANIEL MCGEE		<u> </u>	
SENATOR JESSE LASLOVICH	<u> </u>		
SENATOR AUBYN CURTISS		<u> </u>	
SENATOR LARRY JENT		<u> </u>	
SENATOR TERRY MURPHY		<u> </u>	
SENATOR LYNDIA MOSS	<u> </u>		
SENATOR JOHN ESP		<u> </u>	
SENATOR CLIFF LARSEN	<u> </u>		
SENATOR CAROL JUNEAU	<u> </u>		
SENATOR GREG HINKLE		<u> </u>	
SENATOR JIM SHOCKLEY, VICE CHAIR		<u> </u>	
SENATOR GARY PERRY, CHAIRMAN	<u> </u>		

5/7

MONTANA STATE SENATE
Roll Call Vote
JUDICIARY COMMITTEE

DATE 3/18/09 BILL NO. HS14 MOTION NO. 3

MOTION:

Amendment ~~to the Bill~~ ~~to the Senate~~

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR DANIEL MCGEE		/	
SENATOR JESSE LASLOVICH	—		
SENATOR AUBYN CURTISS		—	
SENATOR LARRY JENT	—		
SENATOR TERRY MURPHY		—	
SENATOR LYNDIA MOSS	—		
SENATOR JOHN ESP	—		
SENATOR CLIFF LARSEN	—		
SENATOR CAROL JUNEAU	—		
SENATOR GREG HINKLE		/	
SENATOR JIM SHOCKLEY, VICE CHAIR	—		
SENATOR GARY PERRY, CHAIRMAN	—		

8/4

MONTANA STATE SENATE
Roll Call Vote
JUDICIARY COMMITTEE

DATE 3/18/09 BILL NO. 1514 MOTION NO. _____

MOTION: _____

Be Concurred In As Amended

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR DANIEL MCGEE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR JESSE LASLOVICH	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR AUBYN CURTISS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR LARRY JENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
SENATOR TERRY MURPHY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR LYNDIA MOSS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
SENATOR JOHN ESP	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
SENATOR CLIFF LARSEN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
SENATOR CAROL JUNEAU	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
SENATOR GREG HINKLE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR JIM SHOCKLEY, VICE CHAIR	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SENATOR GARY PERRY, CHAIRMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

7/5

MONTANA STATE SENATE
Visitors Register

Judiciary Committee

Date 3/18/09

Bill No. HB-431 Sponsor(s) Rep. A. Blewett

PLEASE PRINT

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Name and Address	Representing	Support	Oppose	Inf.
Angeline Benmark	AIA		X	
PAVE WOOD	SELF		X	
John Branson	self		X	
Beth Baker	MT Defense Trial Lawyers			Amend/oppose
Bob Biskupick	ITAM		X	
Dwight Easton	Farmers Ins Corp		X	
Pats Wood	self		X	
ROYAL DAVIS	SELF		X	
Virginia Geier	self		X	
Mimi Jamison	Allstate		X	
Bruce Spencer	PCI		X	
Carol Ann Harmon	State Farm		X	
RON ASHTABRAUN	Self		X	

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA STATE SENATE
Visitors Register

Judiciary Committee

Date 3/18/09

Bill No. HB-407 Sponsor(s) Rep. M. MacDonald

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Name and Address	Representing	Support	Oppose	Inf.
Dallas Erickson	MC DL	X		
JARRK HIMES		X		
Judy Ruel	MC ADSV	X		
Steve Bullock	Attorney General	X		
Pam Rucy	MACOP	X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.